



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, NOVEMBER 30, 2004

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIR CHARLES D. WESTON
VICE-CHAIR RALPH LYLE
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: November 9, 2004

NEW BUSINESS:

1. **USE PERMIT, UP-04-11/VAR-04-01: TENNANT-OLIN CORP:** A request to approve a conditional use permit to install one perchlorate groundwater extraction and removal system, and approval of a variance to allow a five foot rear setback from the required 20 foot rear setback for the installation of the perchlorate groundwater extraction and removal system. The project site is located at 425 Tennant Avenue in a Light Industrial zoning district (APN 817-29-028)

Recommendation: Approval of Resolution Nos. 04-94 (use permit) and 04-05 (variance).

2. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-04-01: TILTON-GLENROCK:** A request to amend an approved development agreement covering phase 6 (24 units) of the Capriano project located on the east side of Hale Ave. east of Monterey Rd. and south of Tilton Ave. The requested amendment is to modify the development schedule to allow for additional time to obtain building permits for phase 6 of the project.

Recommendation: Adopt Resolution No. 04-96, recommending City Council approval of a 6 month extension of time to obtain building permits.

3. **ZONING AMENDMENT, ZA-04-18; SUBDIVISION, SD-04-15; DEVELOPMENT AGREEMENT, DA-04-07: MONTEREY-SOUTH COUNTY HOUSING:** A request for approval to subdivide an approximate 4.8-acre area, create a precise development plan, and adopt a development agreement for a 68-unit affordable housing project (56 apartment units plus 12 townhomes). The relocation and modification of an existing motor court is also proposed. The subject site is located between Monterey Road and Del Monte Avenue, north of Wright Avenue in the R3 zoning district. (APNs 764-12-008, -009, -018, & -019)

Recommendation: Adopt Resolution Nos. 04-97 (zoning amendment), 04-98 (subdivision), and 04-99 (development agreement), with recommendation to forward requests to the City Council for approval.

PLANNING COMMISSION AGENDA

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TENTATIVE UPCOMING AGENDA ITEMS FOR THE DECEMBER 14, 2004 MEETING:

- ZA-04-15: Hill-Gera
- SD-04-05: Hill-Gera
- DA-04-03: Hill-Gera
- ZA-04-17: Cochrane-Borello II
- SD-04-14: Cochrane-Borello II
- DA-04-06: Cochrane-Borello II
- GPA-04-04: Monterey-Morgan Hill Medical
- ZA-04-10: Monterey-Morgan Hill Medical
- GPA-04-07: City of Morgan Hill-Downtown Plan
- ZA-04-14: City of Morgan Hill-Downtown Plan
- GPA-04-08: Tennant-Huang
- ZA-04-20: Tennant-Huang
- DAA-03-01: Christeph-Kamangar/Tansy
- DAA-02-09: Dewitt-Marquez
- DAA-03-04: Barrett-Marrad/Ditri

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.